

From: Eric
To: Microsoft ATR
Date: 12/3/01 2:38am
Subject: Proposed Microsoft settlement

Dear Department of Justice,

I am writing regarding the proposed Microsoft antitrust settlement, which proposes a payment of cash, hardware and software to schools serving impoverished areas. I feel this settlement is flawed in several respects:

First, if Microsoft is guilty of violating anti-trust laws, then the magnitude of this fine appears modest, considering the market losses of other corporations and individuals who may have benefited from a more open competitive environment.

Second, the nature of the penalty is boldly ironic (some might say nearly contemptuous). Microsoft currently has a very small share of the educational marketplace. That Microsoft would be able to promote its own system and educational software to a sizeable portion of the educational market, and to do so in the favorable position of offering "free" equipment, seems to be of considerable benefit to Microsoft and thereby diminishes the impact of the penalty significantly. Why should Microsoft receive government-provided exposure in the only computer market it hasn't yet penetrated and dominated?

Third, the nature of the penalty is too similar to Microsoft's core business. Why have the company give equipment and software which it has ready access to, when cash would be a much more flexible and more readily useable resource for the schools? Why limit the payment to only cover acquisition of computers? Why not allow the schools to choose how the money will be spent -- after all, the educators in the locality will likely know what resources are most needed and what will have the highest impact.

I think that the penalty for Microsoft needs to be reworked and crafted in a fashion that achieves a reasonable penalty - one that doesn't implicitly reward Microsoft for its behavior.

Thank you for condisering my opinion.

Sincerely,

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